DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–99–5461; Notice 2]

Grant of Application for Determination of Inconsequential Noncompliance With Federal Motor Vehicle Safety Standard 108, Lamps, Reflective Devices and Associated Equipment

General Motors Corporation (GM) determined that some GM 1997 EV1 electric passenger cars fail to meet the turn signal requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108—*Lamps, reflective devices and associated equipment.* Pursuant to 49 U.S.C. 30118 and 30120, GM applied to us for a decision that the noncompliance is inconsequential to motor vehicle safety. In accordance with 49 CFR 556.4(b)(6), GM also submitted a 49 CFR part 573 noncompliance notification to the agency.

We published notice of receipt of application in the **Federal Register** (64 FR 22897) on April 28, 1999. Opportunity was afforded for comments until May 28, 1999, but none were received.

GM stated that the EV1 is equipped with an electronic turn signal module that controls turn signal operation. A subset of the module population can be affected by random inputs that cause the internal timing of the electronic circuit to become un-synchronized. If this occurs, it can cause the left turn signal circuit on affected vehicles to operate improperly and not be in compliance with FMVSS No. 108. The left front turn signal lamp may flash at a rapid rate while the left rear turn signal lamp illuminates but does not flash. These conditions can continue after the turn signal lever automatically returns to the off position, but stop if the driver manually cancels the turn signal or turns the ignition off. The right turn signal is not affected.

GM believes that this noncompliance is inconsequential to motor vehicle safety for these reasons:

- The potential for this condition is confined to a very small population of vehicles, 558.
- The condition is not found on every vehicle. Only a subset of vehicles is affected, based on the build variation of the turn signal module.
- GM knows of only eight customers who have reported the condition. The turn signal module in these vehicles has been replaced.
- While GM has not been able to determine the exact percentage of affected vehicles (the anomaly is not readily repeatable in the laboratory, and the small production run has severely limited the number of parts available for testing), the likelihood of experiencing the condition is extremely rare. The worst case part, found in laboratory testing, exhibited the anomaly 16 times in 40,000 cycles (0.0004 times per cycle). Other tested parts did not exhibit the condition as often, or at all.
- The left turn signal does not fail completely. An oncoming driver would see the front turn signal flashing at a rapid rate. A following driver would see the left turn signal lamp on, although it would not be flashing. Both of these results are similar to a vehicle that has a burned-out turn signal lamp.
- Like a vehicle with a burned out lamp, a driver experiencing this condition is alerted that the turn signal system is not functioning properly because the turn signal indicator light does not flash.
- A turn signal with this condition does not self-cancel, but it can easily be canceled manually.
- GM knows of no crashes or injuries associated with this condition.

We have concluded that the few vehicles affected by this noncompliance, as well as the fact that the turn signals show the driver that they have failed, warrant a finding that this noncompliance is inconsequential with regard to motor vehicle safety.

In consideration of the foregoing, we have decided that the applicant has met its burden of persuasion that the noncompliance described above is inconsequential to motor vehicle safety. Accordingly, its application is granted, and GM is exempted from providing the notification of the noncompliance required by 49 U.S.C. 30118, and remedy, required by 49 CFR 30120.

(49 U.S.C. 30118 and 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: August 30, 1999.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–98–4430; Notice 2]

Denial of Application for Decision of Inconsequential Noncompliance; Federal Motor Vehicle Safety Standard 108—Lamps, Reflective Devices, and Associated Equipment

General Motors Corporation (GM), determined that approximately 15,300 1998 GMC Sonoma and Chevrolet S–10 pickup trucks, and GMC Jimmy and Chevrolet Blazer sport utility vehicles, equipped with the ''ZR2'' option package, fail to meet a requirement of Federal Motor Vehicle Safety Standard (FMVSS) 108—Lamps, Reflective Devices and Associated Equipment. Specifically, these vehicles are equipped with daytime running lamps (DRLs) mounted higher than the maximum height allowed by S5.5.11(a)(1)(ii) of FMVSS 108. Pursuant to 49 U.S.C. 30118 and 30120, GM has applied to us, the National Highway Traffic Safety Administration (NHTSA) for a decision that the noncompliance is inconsequential to motor vehicle safety. GM also submitted a 49 CFR part 573 noncompliance notification to the agency in accordance with 49 CFR 556.4(b)(6).

We published a notice of receipt of the application in the **Federal Register** (64 FR 27032) on May 18, 1999. Opportunity was afforded for comments until June 17, 1999. No comments were received.

The DRLs on the noncompliant vehicles are provided by the upper beam headlamps operating at reduced intensity, with a maximum output of approximately 6,700 candela per lamp (according to GM). As such, FMVSS 108 requires the DRL be mounted not higher than 34 inches (864 mm) from the road surface. Base-level GMC Sonomas and Jimmys and Chevrolet S–10 pickups and Blazers comply with the DRL height limitation of FMVSS 108. However, the ZR2 option package gives the vehicles a stiffer suspension and larger tires, which results in an overall increase in the height of the vehicle, including the DRL mounting height. The mean mounting height of DRLs on the noncompliant vehicles is 36 inches above the ground, with a maximum height of 37 inches. As a result, they fail to meet S5.5.11(a)(1)(ii) of FMVSS 108.

GM believes that this noncompliance is inconsequential to motor vehicles safety for the following reasons:

1. Research conducted by the University of Michigan Transportation